



Attorney Docket No. 1252.1082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

George W. Fitzmaurice, et al.

Application No.: 10/684,580

Group Art Unit: Not Yet Assigned

Filed: October 15, 2003

Examiner: Not Yet Assigned

For: TRACKING MENUS, SYSTEM AND METHOD

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

*(Check either Item 2a or 2b or 2c or 2d)*

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

*(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*

- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable; OR  
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
☐ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND  
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
☐ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4a is checked)*  
*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.  
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

*(Check appropriate Items 6a and/or 6b)*

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. \_\_\_, filed on \_\_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).  
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. \_\_\_, filed on \_\_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

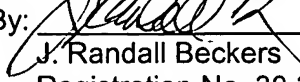
7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.  
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.  
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on \_\_\_\_\_.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed \_\_\_\_\_.
9. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:  
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

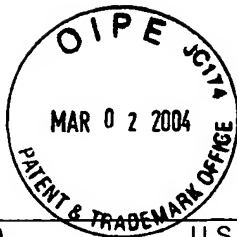
11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 3/1/4  
1201 New York Ave., N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

By:   
J. Randall Beckers  
Registration No. 30,358



Sheet 1 of 3

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1252.1082	APPLICATION NO. 10/684,580
<b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i>		FIRST NAMED INVENTOR George W. Fitzmaurice, et al.	
		FILING DATE October 15, 2003	GROUP ART UNIT

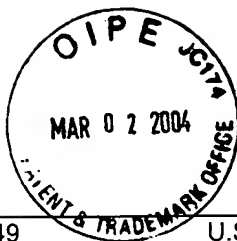
**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,666,499	9/97	Baudel et al.			
	AB	6,118,427	9/00	Buxton et al.			
	AC	5,798,752	8/98	Buxton et al.			
	AD	5,581,670	12/96	Bier et al.			
	AE	5,689,667	11/1997	Kurtenbach			
	AF	5,627,960	5/1997	Clifford			

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

				TRANSLATION YES NO	
	BA	Accot, J. Zhai, S. (2002), "More than dotting the I's – foundations for crossing-based interfaces", Proceedings of ACM CHI 2002, pp. 73-80.			
	BB	Bier, E. A., Stone, M.C., Fishkin, K., Buxton, W., Baudel, T., (1994), "A Taxonomy of See Through Tools", Proceedings of the ACM CHI 1994, pp. 358-364.			
	BC	Buxton, W., (1990), "A Three-State Model of Graphical Input", In D., Diaper et al. (Eds), Human-Computer Interaction – INTERACT '90., Amsterdam: Elsevier Science Publishers B.V., (North-Holland), pp. 449-456.			
	BD	Buxton, W., Fitzmaurice, G., Balakrishnan, R., and Kurtenbach, G. (200), "From Traditional to Electronic Large Displays in Automotive Design", IEEE Computer Graphics and Applications, 20(4), pp. 68-75.			
	BE	Callahan, J., Hopkins, D., Weiser, M. & Shneiderman, B. (1988), "An Empirical Comparison of Pie vs. Linear Menus", Proceedings of CHI '88, pp. 95-100			

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	



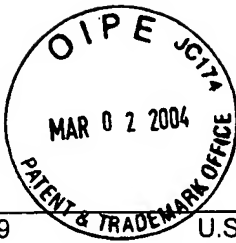
Sheet 2 of 3

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1252.1082	APPLICATION NO. 10/684,580
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)		FIRST NAMED INVENTOR George W. Fitzmaurice, et al.	
		FILING DATE October 15, 2003	GROUP ART UNIT

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

			TRANSLATION	
			YES	NO
	BF	Elrod, S., Bruce, R., Gold, R., Goldberg, D., Halasz, EG., Janssen, Jr., W. C., Lee, D., McCall, K., Pedersen, E.R., Pier, K.A., Tang., and Welch, B., (1992), "Liveboard: A Large Interactive Display Supporting Group Meetings, Presentations, and Remote Collaboration", Proceedings of ACH CHI 1992, pp. 599-607.		
	BG	Guimbretiere, F., Stone, M. & Winograd, T., (2001), "Fluid Interaction with High-Resolution Wall-size Displays", Proceedings of ACM UIST 2001, pp. 21, 30.		
	BH	Guimbretiere, F., and Winograd, T., (2000), "FlowMenu: Combining Command, Text, and Data Entry", Proceedings of ACM UIST 2000, pp. 213-216.		
	BI	Harrison, B., Kurtenbach, G., Vincente, K., (1995), "An Experiment Evaluation of Transparent User Interface Tools and Information Content", Proceedings of ACM UIST, 1995, pp. 81-90.		
	BJ	Harrison, B., Fishkin, K., Gujar A., Mochon, C., Want, R. (1998), "Squeeze me, hold me, tilt me! An Exploration of Manipulative User Interfaces", Proceedings of ACM CHI 1998, pp. 17-24.		
	BK	Kramer, A., (1994), "Translucent Patches: Dissolving Windows", Proceedings of ACM UIST 1994, pp. 121-130.		
	BL	Kurtenbach, G. & Buxton, W., (1993), "The limits of expert performance using hierarchical marking menus", Proceedings of the ACM CHI 1993, pp. 482-487.		
	BM	Kurtenbach, G., Fitzmaurice, G., Baudel, T., Buxton, B., (1997), "The Design of a GUI Paradigm based on Tablets, Two-Hands, and Transparency", Proceedings of ACH CHI 1997, pp. 35-42.		
	BN	Kurtenbach, G., (1993), "The Design and Evaluation of Marking Menus, Ph.D., thesis, University of Toronto, Dept. of Computer Science.		
	BO	Pook, S., Lecolinet, E., Vaysseix, G., and Barillot, E. (2000), "Control Menus: Execution and Control in a Single Interactor", Proceedings of ACH CHI 2000 Extended Abstracts, pp. 263-264		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

1252.1082

APPLICATION NO.

10/684,580

## LIST OF REFERENCES CITED BY APPLICANT

*(Use several sheets if necessary)*

FIRST NAMED INVENTOR

George W. Fitzmaurice, et al.

FILING DATE

October 15, 2003

GROUP ART UNIT

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

TRANSLATION  
YES NO

	BP	Rubio, J. M. and Janacek, P. (2002), "Floating Pie Menus: Enhancing the functionality of Contextual Tools", Proceedings of ACM UIST 2002 Conference Companion, pp. 39-40		
	BQ	Venolia, D. and Neiberg, F. (1994), "T-Cube: A Fast, Self-Disclosing Pen-Based Alphabet", Proceedings of ACH CHI 1994, pp. 265-270		
	BR	Hopkins, D. (1991), "The Design and Implementation of Pie Menus", Dr. Dobbs Journal, 16(12), pp. 16-26		
	BS	Bederson, B.B. and Hollan, J. D. (1994), "Pad++: A Zooming Graphical Interface for Exploring Alternative Interface Physics", Proceedings of ACM UIST 1994, pp. 17-26.		
	BT	Perlin, K. and Fox, D. (1993), "Pad: An Alternative Approach to the Computer Interface", Proceedings of ACM SIGGRAPH 1993, pp. 57-64.		
	BU	MacKenzie, I.S. & Buxton, W. (1994), "Prediction of Pointing and Dragging Times in Graphical User Interfaces Interacting With Computer", 6(4), pp. 213-227.		
	BV	Myers, B. & Buxton, W. (1986), "Creating Highly-Interactive and Graphical User Interfaces by Demonstration", Computer Graphics 20(3), Proceedings of SIGGRAPH '86, pp. 249-258.		

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**ATTACHMENT 1(g)**

<b>LIST OF ADDITIONAL SUBMITTED DOCUMENTS</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1252.1082	10/684,580
	FIRST NAMED INVENTOR	
	George W. Fitzmaurice, et al.	
	FILING DATE	GROUP ART UNIT
	October 15, 2003	

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of any identified copending application(s) is provided.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

**This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.**

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	<u>TRANSLATION</u> YES NO	
	BA							

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

							<u>TRANSLATION</u> YES NO	
	CA	Fitzmaurice et al., "Tracking Menus", Alias Wavefront, pp. 1-10						
	CB	Fitzmaurice et al., "Tracking Menus", Proceedings from ACM CHI 2003, Vol. 5, Issue 2, pp. 71-80						

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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